

1

2 IN THE UNITED STATES DISTRICT COURT

3

4 FOR THE NORTHERN DISTRICT OF CALIFORNIA

5

TRUCK INSURANCE EXCHANGE,

No. C 06-4573 CRB (MEJ)

6

Plaintiff(s),

7 vs.
8 **ORDER VACATING DISCOVERY
HEARING**

9

ATLANTIC MUTUAL INSURANCE CO.,

Defendant(s).
10 _____ /

11 Before the Court is the parties' joint discovery dispute letter regarding Plaintiff's motion to
12 compel the production of certain documents from Defendant. (Dkt. #38.) After reviewing the letter,
13 the Court ordered the parties to appear for a discovery hearing on March 26, 2009. However, on
14 March 25, one day prior to the hearing and contrary to the undersigned's discovery standing order,
15 Plaintiff filed a Request for Judicial Notice, (Dkt. #87), and Defendant filed a letter in response (Dkt.
16 #88).

17 Upon review of the new filings, and given the February 13, 2009 Case Management
18 Conference at which Judge Breyer may have resolved some of the issues raised in the parties'
19 original letter, it is unclear what issues remain in dispute. Accordingly, the Court hereby VACATES
20 the March 26, 2009 hearing. The parties shall meet in confer in person and, if any dispute remains,
21 file an updated joint letter. Prior to any meet and confer session, the parties should be aware that the
22 Court has reviewed the case to which both parties cite, *First Pacific Network v. Atlantic Mutual Ins.*
23 Co., 163 F.R.D. 574 (N.D. Cal. 1995), and finds that no waiver of the attorney-client privilege has
24 occurred.

25 **IT IS SO ORDERED.**

26
27 Dated: March 25, 2009
28


26
27 MARIA ELENA JAMES
28 United States Magistrate Judge